

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>MARGARET M. JAGER and ROBERT</b>	:
<b>W. JAGER,</b>	:
	:
<b>Plaintiffs,</b>	:
	:
	:
<b>VS.</b>	:
	:
	:
<b>DEPARTMENT OF ENVIRONMENTAL</b>	:
<b>PROTECTION,</b>	:
	:
<b>Defendant.</b>	:
	:

**NOTICE OF REMOVAL**

AND NOW comes defendant Department of Environmental Protection, by their attorney, Sarah J. Simkin, Deputy Attorney General, and pursuant to 28 U.S.C. §§ 1441 and 1446, hereby removes the above-captioned action from the Court of Common Pleas of Clearfield County to the United States District Court for the Western District of Pennsylvania. Grounds in support of removal are as follows:

1. Plaintiff commenced this civil action by Complaint on or about January 13, 2020 in the Court of Common Pleas of Clearfield County at Docket No. 2020-72-CD. A copy of the Complaint is attached as Exhibit "A".
2. Defendant received a copy of the Complaint on January 14, 2020 via Priority Mail USPS.
3. The Complaint makes allegations including violation of Plaintiffs' Fifth Amendment Rights, Equal Protection, and Fourteenth Amendment Due Process rights, as well as malicious prosecution, collusion, tortious interference with a contract, and elder abuse. (Exh A).

4. This Court has original jurisdiction over plaintiff's federal action pursuant to 28 U.S.C. §1343. Accordingly, defendant is entitled to remove the action to this Court pursuant to 28 U.S.C. § 1441.

5. This Notice of Removal is being filed within 30 days after receipt of plaintiff's state court complaint by defendant, as required by 28 U.S.C. § 1446(b).

6. Copies of this Notice of Removal will be duly filed with the Prothonotary of the Court of Common Pleas of Clearfield County and served upon plaintiff.

7. In removing this action, defendant does not waive his objections to defects in service or improper service, or any defenses, including without limitation, defenses available by virtue of the Eleventh Amendment to the United States Constitution or under the Pennsylvania Sovereign Immunity Act.

Respectfully Submitted,

**JOSH SHAPIRO**  
Attorney General

By: /s/ Sarah J. Simkin  
Sarah J. Simkin  
Deputy Attorney General  
Pa. I.D. # 320646

Date: January 29, 2020

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing document was filed electronically and will be served via First-Class Mail, postage prepaid upon plaintiff as set forth below upon receipt of the federal docket number:

**Margaret M. Jager and Robert W. Jager**  
**1181 Pleasant Valley Road**  
**Woodland, PA 16881**  
**(Plaintiffs)**

/s/ Sarah J. Simkin  
Sarah J. Simkin  
PA ID # 320646

Dated: January 29, 2020